

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

IN RE:	§	
WC 1st AND TRINITY LP	§	CASE NO. 20-10885
WC 3RD AND CONGRESS LP	§	CASE NO. 20-10887
WC 1st AND TRINITY GP LLC	§	CASE NO. 20-10886
WC 3RD AND CONGRESS GP LLC,	§	CASE NO. 20-10888
DEBTORS.	§	CHAPTER 11

**LP DEBTORS' MOTION FOR LEAVE TO FILE SUR-REPLY IN OPPOSITION TO
MOTIONS TO DISMISS REGARDING AUTHORITY TO FILE CHAPTER 11 CASES**

To the Honorable Tony M. Davis, United States Bankruptcy Judge:

The LP Debtors respectfully file this motion for leave to file a sur-reply and state as follows:

1. On August 7, 2020 and August 11, 2020, the Mitte Foundation and Milligan (the “Movants”) filed motions to dismiss the above-captioned bankruptcy cases [ECF Nos. 8 & 10, respectively]¹ (the “Motions to Dismiss”).
2. On August 24, 2020 the LP Debtors filed their response to Movants’ Motions to Dismiss [ECF No. 43] (the “Response”).
3. On August 26, 2020 Milligan filed a reply to the Response [ECF No. 46] (the “Reply”).

¹ ECF docket references are to Case Number 20-10885. Identical pleadings have been filed in each of the four above-captioned cases.

4. In that Reply, Milligan raised for the first time a case he asserts is relevant to the Court's determination of whether the filing of the cases was duly authorized. Milligan also asserts in his Reply that the cases cited by the LP Debtors in their Response are "irrelevant" to the Court's determination of the authority issue.

5. To respond solely to these contentions, the LP Debtors respectfully request that the Court grant them leave to file a short sur-reply in accordance with Local Bankruptcy Rule 7007(c)(1), the form of which is attached as Exhibit "A".

Dated: August 28, 2020

Respectfully submitted,

FISHMAN JACKSON RONQUILLO PLLC

/s/ Mark H. Ralston
Mark H. Ralston
State Bar No. 16489460
Fishman Jackson Ronquillo PLLC
Three Galleria Tower
13155 Noel Road, Suite 700
Dallas, TX 75240
Telephone: (972) 419-5544
Facsimile: (972) 4419-5500
E-mail: mralston@fjrpllc.com

PROPOSED COUNSEL FOR THE DEBTORS

CERTIFICATE OF SERVICE

I hereby certify that on August 28, 2020, I caused to be served a true and correct copy of the foregoing document by the court ECF filing system and/or by First Class U.S. Mail on the parties listed on the attached service list.

/s/ Mark Ralston
Mark Ralston